

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Albert Kreh
CONFIRMATION NO: Unknown
APPLICATION NO: Not Yet Assigned GROUP ART UNIT: Unknown
FILED: Herewith EXAMINER: Not Yet Assigned
FOR: *Autofocus Module for Microscope-Based Systems*

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Express Mail Label No: EV 320706587 US

By:

Deborah Celeste
Deborah Celeste

July 23, 2003
Date

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the listed items are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are

submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. X **Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.**

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. **Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).**

- b. X A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is satisfied by the English language Abstract.
- c. The following additional information is provided for the Examiner's consideration:

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. X before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):

(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

a. _____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

or

b. _____ See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that:

- a. _____ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. _____ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. _____ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As

to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

_____ Please charge Deposit Account No. 502233 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

_____ A check in the amount of \$180.00 is enclosed.

X No fee is required.

VII. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.704(d) (PATENT TERM ADJUSTMENT)

Applies to original applications (other than design) filed on or after May 29, 2000

[] Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

[X] Enclosed herewith is form PTO-1449:

[X] Copies of the cited references are enclosed.

[] Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

Attorney Docket No: 21295.63 (H5651US)
Application Serial No: Not Yet Assigned
Filed: Herewith

- ☐ The listed references marked with an "*" were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) for references DE 41 33 788 A1 and DE 32 19 503 C2 under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☒ the enclosed English language abstract and U.S. counterpart.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 502233.

Respectfully submitted,

Date:

July 23, 2003

Maria M. Eliseeva

Maria M. Eliseeva, Reg. No. 43,328
Customer No. 29127
Houston Eliseeva LLP
4 Militia Drive, Ste. 4
Lexington, MA 02421
Tel: 781-863-9991
Fax: 781-863-9931

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTY DOCKET NO. 21295.63 (H5651US)		SERIAL NO. Not Yet Assigned	
				APPLICANT(S): Albert Kreh			
				FILING DATE: Herewith		ART UNIT: Unknown	
UNITED STATES PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	INVENTOR	CLASS	SUB CLASS	FIL. DATE IF APPR
	AA	5,270,527	Dec 14 1993	Salzmann	250	201.3	
	AB	4,595,829	Jun 17 1986	Neumann, et al.	250	201	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN Y/N
	BA	EP 0 124 241 B1	02 Nov 1988	EPO	G02B	21/100	Y
	BB	DE 41 33 788 A1	15 Apr 1993	DE	G02B	7/36	Y (Abstract Only)
	BC	DE 32 19 503 C2	1 Dec 1983	DE	G02B	7/11	Y (Abstract Only)
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
Examiner:				Date:			